

## **Program A: Sheriffs' Housing of State Inmates**

Program Authorization: R.S. 15:824; R.S. 33:1432; R.S. 15:574.2-574.21; R.S. 15:1111; Hayes Williams, et al v. John McKeithen, et al CA 71-98-b (M.D. La.)

### **PROGRAM DESCRIPTION**

The mission of the Sheriff's Housing Program to provide a safe and secure environment for the adult male and female offenders and juveniles who have been committed to state custody and are awaiting transfer to the Department of Public Safety and Corrections (DPS&C), Corrections Services. Due to space limitations in state correctional institutions, the DPS&C, Corrections Services, continues its partnership with the Louisiana Sheriffs' Association and other local governing authorities by utilizing parish and local jails for housing offenders. Louisiana houses more state offenders in local jails than any other state. According to a 1999 legislative Fiscal Office survey, 13 of 16 Southern Legislative Conference states surveyed confined inmates in local jails. The shifting of inmates to the local level has caused some jails to house inmates in excess of designed capacities. Of the ten states reporting local jail capacity data, state inmates filled approximately 14% of those beds. Local jail populations exceed reported capacity in five of the nine states reporting total jail populations. In Louisiana, state prisoners generally occupy about 43% of the prisoner beds available in local prisons. However, Louisiana reported local jails at 99.2% of capacity.

Because of the critical need for close coordination between state and local government in the management of prison and jail bed space, the DPS&C, the Louisiana Sheriffs' Association, and other interested parties have forged a Community Corrections Partnership to assure maximum efficiency in the system. Assistance in the construction of new jail space, effective utilization of the space, and a joint monitoring and quality assurance mechanism are key components. The department and local public entities agree to provide jail space in excess of local needs in exchange for the state's commitment to utilize a fixed percentage of the space. This arrangement enables financing of the facility when other options are not available and allows expansion of the number of beds for local use as well as state use. By July 1999, the department had signed 30 cooperative endeavor agreements for adult beds, all of which had been approved by the Division of Administration. As a result, the department gained access to about 1,694 beds. Additional beds, approved but not yet finished being constructed, will add approximately 2,349 spaces for state inmates and 3,524 for local use.

The department and the Louisiana Sheriffs' Association have jointly developed a comprehensive set of basic jail guidelines, which must be followed by any parish prison or local detention facility as a condition of housing state inmates. This voluntary quality assurance effort has done much to ensure that the basic conditions under which state inmates are housed in local facilities are safe and constitutional.

The goal of the Sheriffs' Housing of State Inmates Program is to continue the Community Corrections Partnership and to reimburse local authorities through the program.

### **OBJECTIVES AND PERFORMANCE INDICATORS**

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2000-2001. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

**The objectives and performance indicators that appear below are associated with program funding in the Base Executive Budget for FY 2000-01. Specific information on program funding is presented in the financial sections that follow performance tables.**

1. (KEY) To continue to provide for the housing of adult and juvenile offenders in local facilities in a safe and secure manner.

Strategic Link: This operational objective relates to the program's Strategic Goal I: *To continue the Community Correction Partnership which utilizes parish and local jails for housing offenders committed to the state's custody and awaiting transfer to Corrections Services and to reimburse local authorities through the Sheriff's Housing Program.*

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Average total number of offenders housed per day	13,355	13,358	15,254	15,254	18,081	17,281
K	Average number of adults housed per day	13,203	13,213	14,862	15,105	17,932	17,132
K	Average number of juveniles housed per day	152	145	392	149	149	149
K	Percentage of adult inmate population housed in local jails	40.78%	41.57%	43.26%	43.65%	47.47%	46.66%
K	Percentage of juvenile inmate population housed in local jails	7.11%	6.98%	15.47%	6.50%	6.75%	6.75%
S	Number of local jails with additional \$7 cooperative endeavor agreements	4	4	4	4	4	4
S	Extraordinary medical cost reimbursement to local jails	100,000	148,962	100,000	100,000	100,000	100,000

**GENERAL PERFORMANCE INFORMATION:**  
**UTILIZATION OF LOCAL JAILS TO HOUSE STATE INMATES, SOUTHERN REGION**  
(As of July 1, 1999)

STATE	NUMBER OF STATE OFFENDERS IN LOCAL JAILS	STATE PAYMENT PER INMATE DAY	STATE PAYMENT PER INMATE YEAR
Alabama	1,618	\$1.75 <sup>1</sup>	\$639
Arkansas	343	\$25.00	\$9,125
Florida	34	\$32.00 <sup>2</sup>	\$11,680
Georgia	2,647	\$20.00 <sup>3</sup>	\$7,300
Kentucky	3,252	\$26.43	\$9,647
<b>Louisiana</b>	<b>14,047</b>	<b>\$24.62</b> <sup>4</sup>	<b>\$8,986</b>
Maryland	0	\$0.00 <sup>5</sup>	\$0 <sup>5</sup>
Mississippi	1,866	\$20.00	\$7,300
Missouri	0	\$0.00	\$0.00
North Carolina	47	\$40.00	\$14,600
Oklahoma	473	\$0.00	\$0
South Carolina	400	\$40.00 <sup>6</sup>	\$0 <sup>6</sup>
Tennessee	5,710	\$41.81 <sup>7</sup>	\$15,261
Texas	0	\$0.00	\$0
Virginia	4,241	\$32.87 <sup>8</sup>	\$11,998
West Virginia	606	\$39.50 <sup>9</sup>	\$14,418
<b>TOTAL/AVERAGE</b>	<b>35,284</b>	<b>\$30.22</b>	<b>\$11,031</b>

<sup>1</sup> Some localities receive an additional \$1.25 per day based on legislation.

<sup>2</sup> The Florida Department of Corrections received no specific appropriation for county jail beds; funds are currently paid from the diversion bed appropriation at \$32 per day.

<sup>3</sup> Inmates are housed in jails only until space is available in the state prison system for the inmate (temporary, short-term option only).

<sup>4</sup> All facilities are reimbursed at a flat rate of \$23 per day except for work release facilities operated by the sheriffs, which are reimbursed at \$18 and four parishes that earn an additional \$7.00 per inmate per day through approved cooperative endeavors to provide and capitalize additional t for the state. All parishes are also eligible to have approved extraordinary medical expenses reimbursed. Orleans Parish is also reimbursed additional per diem of \$2 for medical expenses for state inmates and \$7 for all inmates served by their mental health unit.

<sup>5</sup> There are different rates based on location of the local facility. The economic base of the county determines the amount the state reimburses county for the housing of state inmates in local jails.

<sup>6</sup> Inmates perform work duties at these facilities, therefore there is no reimbursement.

<sup>7</sup> Tennessee uses four methods of reimbursement: contract agreements; reasonable allowable but not to exceed \$35 per inmate per day; fixed rate; flat rate of \$25 per inmate per day.

<sup>8</sup> All full service local and regional jails are provided the same per diem rates (\$8 per diem for local inmates and \$14 per diem for state felons j personnel costs). Local jail farms, which hold minimum security inmates for various work programs receive \$22 for local inmates and \$28 for s felons as a per diem and no personnel money.

<sup>9</sup> Average budgeted reimbursement for county jails is \$25.

Source: *Adult Correctional Systems: A Comparative Data Report Submitted to the Fiscal Affairs and Governmental Operations Commit*. Southern Legislative Conference, Council of State Governments, October 1999.

## RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 1998-1999	ACT 10 1999- 2000	EXISTING 1999- 2000	CONTINUATION 2000 - 2001	RECOMMENDED 2000 - 2001	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$114,722,276	\$137,404,987	\$137,404,987	\$156,446,602	\$155,290,564	\$17,885,577
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	0	0	0	0	0	0
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
<b>TOTAL MEANS OF FINANCING</b>	<b>\$114,722,276</b>	<b>\$137,404,987</b>	<b>\$137,404,987</b>	<b>\$156,446,602</b>	<b>\$155,290,564</b>	<b>\$17,885,577</b>
EXPENDITURES & REQUEST:						
Salaries	\$0	\$0	\$0	\$0	\$0	\$0
Other Compensation	0	0	0	0	0	0
Related Benefits	0	0	0	0	0	0
Total Operating Expenses	0	0	0	0	0	0
Professional Services	0	0	0	0	0	0
Total Other Charges	114,722,276	137,404,987	137,404,987	156,446,602	155,290,564	17,885,577
Total Acq. & Major Repairs	0	0	0	0	0	0
<b>TOTAL EXPENDITURES AND REQUEST</b>	<b>\$114,722,276</b>	<b>\$137,404,987</b>	<b>\$137,404,987</b>	<b>\$156,446,602</b>	<b>\$155,290,564</b>	<b>\$17,885,577</b>
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	0	0	0	0	0	0
Unclassified	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

The Total Recommended amount above includes \$12,790,330 of supplemental recommendations, all of which is State General Fund, to allow for the payment of \$23/day for the housing of State inmates in the local facilities above the statutory mandated level of \$21/day. This item is contingent upon Revenue Sources in excess of the Official Revenue Estimating Conference Forecast subject to Legislative approval and recognition by the Revenue Estimating Conference.

## SOURCE OF FUNDING

This program is funded entirely with State General Fund.

## ANALYSIS OF RECOMMENDATION

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$137,404,987	\$137,404,987	0	ACT 10 FISCAL YEAR 1999-2000
			BA-7 TRANSACTIONS:
\$0	\$0	0	None
\$137,404,987	\$137,404,987	0	EXISTING OPERATING BUDGET – December 3, 1999
\$18,230,295	\$18,230,295	0	Workload Adjustments - Increase from 15,254 to 17,281 inmates
(\$344,718)	(\$344,718)	0	Other Non-Recurring Adjustments - Leap Year Adjustment
\$155,290,564	\$155,290,564	0	TOTAL RECOMMENDED
(\$12,790,330)	(\$12,790,330)	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$142,500,234	\$142,500,234	0	BASE EXECUTIVE BUDGET FISCAL YEAR 2000-2001
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$12,790,330	\$12,790,330	0	Allows for the payment of \$23/day for housing of State inmates in the local facilities above the statutory mandated level of \$21/day
\$12,790,330	\$12,790,330	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$155,290,564	\$155,290,564	0	GRAND TOTAL RECOMMENDED

The total means of financing for this program is recommended at 113.0% of the existing operating budget. It represents 96.4% of the total request (\$161,148,414) for this program. The increase in the recommended level of funding is due to more state inmates being housed in the parish and local jail facilities.

## PROFESSIONAL SERVICES

This program does not have funding for Professional Services for Fiscal Year 2000-2001.

### TOTAL PROFESSIONAL SERVICES

## OTHER CHARGES

\$146,929,033	Provides for the housing of 17,281 state inmates in parish and local jails
\$100,000	Provides the reimbursement of extraordinary medical expenses incurred by sheriffs and police departments for state inmates housed in parish and local jails
\$2,203,363	Provides for Vernon Parish, Sabine Parish, Natchitoches Parish and Morehouse Parish Law Enforcement Districts debt retirement
\$2,401,142	Provides for medical/psychiatric payments to Orleans Parish Sheriff for the adult and juvenile offenders incarcerated in the Orleans parish jail
\$3,657,026	Sheriffs' Work Release
<b>\$155,290,564</b>	<b>Total Other Charges</b>

## ACQUISITIONS AND MAJOR REPAIRS

This program does not have funding for Acquisitions and Major Repairs for Fiscal Year 2000-2001.